

## **Legislative Bulletin.....March 9, 2009**

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### **H.Res. 210 - Expressing the sense of the House of Representative that providing breakfast in schools through the National School Breakfast Program has a positive impact on classroom performance (*Moore, D-WI*)**

**Order of Business:** The resolution is scheduled to be considered on Monday March 9, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. 210 would resolve that the House of Representatives:

- “Recognizes the importance of the National School Breakfast Program and its overall positive effect on the lives of low-income children and families, as well as its effect on helping to improve a child's overall classroom performance;
- “Expresses support for States that have successfully implemented school breakfast programs in order to improve the test scores and grades of its participating students;
- “Encourages States to strengthen their school breakfast programs by improving access for students, to promote improvements in the nutritional quality of breakfasts served, and to inform students and parents of healthy nutritional and lifestyle choices;
- “Recognizes the need to provide States with resources to improve the availability of adequate and nutritious breakfasts;
- “Recognizes the impact of nonprofit and community organizations that work to increase awareness of, and access to, breakfast programs for low-income children; and
- “Recognizes that National School Breakfast Week helps draw attention to the need for, and success of, the National School Breakfast Program.”

The resolution lists a number of findings including:

- “Breakfast program participants under the Child Nutrition Act of 1966 include public, private, elementary, middle, and high schools, as well as rural, suburban, and urban schools;
- “At least 16,000 schools that participate in the National School Lunch Program do not participate in the National School Breakfast Program;
- “In fiscal year 2008, 8,520,000 students in the United States consumed free or reduced-price school breakfasts provided under the national school breakfast program established by section 4 of the Child Nutrition Act of 1966;
- “Less than half of the low-income students who participate in the National School Lunch Program also participate in the school breakfast program;
- “In fiscal year 2008, 60 percent of school lunches served, and 80 percent of school breakfasts served, were served to students who qualified for free or reduced priced meals;
- “The current economic situation, including the increase of nearly 3 percent in the national unemployment rate in 2008, is causing more families to struggle to feed their children and to turn to schools for assistance.”

**Background:** According to their website, “The School Breakfast Program (SBP) provides cash assistance to States to operate nonprofit breakfast programs in schools and residential childcare institutions. The program is administered at the Federal level by FNS [the Food and Nutrition Service]. State education agencies administer the SBP at the State level, and local school food authorities operate it in schools.” The program operates in 85,000 schools. Schools that choose to participate get subsidies from the U.S. Department of Agriculture for each meal they serve. In exchange, the school must offer free or reduced price breakfasts.

**Conservative Concerns:** Many conservatives may question the constitutionality of the federal government increasing its role in this program, which should be driven through local and state spending. In addition, the resolution “recognizes the need to provide States with resources” which is undefined, but we can only assume additional federal spending.

**Committee Action:** The resolution was introduced on March 4, 2009 and referred to the House Committee on Education and Labor.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO score of cost to taxpayers is not available.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax**

**Benefits/Limited Tariff Benefits?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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## **H.Res. \_\_\_\_ - Congratulating the National Assessment Governing Board on its 20<sup>th</sup> Anniversary in measuring student academic achievement (Castle, R-DE)**

**Order of Business:** The resolution is scheduled to be considered on Monday March 9, 2009, under a motion to suspend the rules and pass the resolution.

**Summary:** H.Res. \_\_\_\_ would resolve that the House of Representatives:

- “Congratulates the National Assessment Governing Board on its 20th anniversary in measuring student academic achievement; and
- “Recognizes past and present members of the National Assessment Governing Board for their service to the Nation in improving elementary and secondary education.”

The resolution lists a number of findings including:

- “The National Assessment Governing Board (the Governing Board) is an independent, bipartisan board created by Congress in 1988 to set policy for the National Assessment of Educational Progress (NAEP), commonly known as “The Nation’s Report Card”
- “The Governing Board is made up of 26 members, including Governors, State legislators, local and State school officials, educators, researchers, business representatives, and members of the general public;
- “When Congress established the Governing Board to oversee The Nation’s Report Card, it ensured that the NAEP would be conducted independently and free from inappropriate influences and special interests;
- “In overseeing The Nation’s Report Card, the Governing Board identifies subjects to be assessed, determines the content and achievement levels for each assessment, and approves all assessment questions.”

**Background:** According to their website, the National Assessment Governing Board was created by Congress in 1998. The NAGB “identifies subjects to be tested, determines the content and achievement levels for each assessment, approves all test questions, and takes steps to improve the reporting of results.”

**Committee Action:** The resolution was referred to the House Committee on Education and Labor where no official action was taken.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO score of cost to tax payers is not available.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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## **H.R. 131—Ronald Reagan Centennial Commission Act (Gallegly, R-CA)**

**Order of Business:** The bill is scheduled to be considered on Monday March 9, 2009, under a motion to suspend the rules and pass the bill.

**Major Changes Since the Last Time This Legislation Was Before the House:** None. Identical legislation (H.R. 5235) was considered in the 110<sup>th</sup> Congress and passed by voice vote on July 22, 2008.

**Summary:** The legislation would establish the Ronald Reagan Centennial Commission for the purposes of developing and carrying out activities to honor Ronald Reagan on the occasion of the 100th anniversary of his birth.

Specifically, the Commission would be responsible for providing assistance to federal, state, and local government agencies, as well as civic organizations, that are preparing activities to celebrate the 100th anniversary of Reagan's birth. The Commission would be required to study the appropriateness of issuing a postal stamp, commemorative coin, or convening a joint session of Congress to honor Reagan.

The Commission would be comprised of 11 members appointed by the Archivist of the U.S., the Secretary of Interior, the President, and Board of Trustees of the Ronald Reagan Library. Each member of the Commission would be appointed within 90 days of enactment and a

chairperson would be selected by majority vote of the Commission. The Commission would also be authorized to hire employees as it saw fit and would cap employee's pay at the maximum amount for a GS-13 government employee.

The Administrator of the General Services Administration would be required to provide facilities for the Commission. In addition, the Commission would be given the authority to hold hearings, secure official data from departments, use U.S. mail in the same manner as federal agencies, solicit gifts, and enter into contracts. The bill would require the Commission to submit annual reports to the President and Congress concerning its revenues and expenditures, and a final report containing the activities, accounting, and recommendations of the Commission no later than April 20, 2011.

**Addition Information:** The 100th anniversary of the birth of our Nation's 40th President, Ronald Wilson Reagan, will occur on February 6, 2011.

**Committee Action:** On January 6, 2009, the bill was referred to the House Committee on Oversight and Government Reform. The committee held a mark-up on February 11, 2009 and the legislation was reported by unanimous consent.

**Administration Position:** No Statement of Administration Policy (SAP) is available.

**Cost to Taxpayers:** A CBO score of cost to tax payers is not available.

**Does the Bill Expand the Size and Scope of the Federal Government?** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?** No.

**Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** A Committee Report citing compliance with rules regarding earmarks, limited tax benefits, or limited tariff benefits is not available. Such a report is technically not required because the bill is being considered under a suspension of the rules.

**Constitutional Authority:** A Committee Report citing constitutional authority is not available.

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